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Remarks

Reconsideration of the application is respectfully requested. Claim 2 has been amended to clarify that the IF gain adjust amplifier is part of the system as a whole, and not part of the RF gain adjust amplifier, evidently the basis of the enablement rejection. The changes in various claims from "and" to "or" are to account for the principle enunciated in Superguide Corp. v. DirectTV Enterprises, Inc., 358 F.3d 870 (Fed. Cir. 2004) stating that "at least one of A, B, C, and D" minimally requires at least one element from each of the categories A, B, C, and D, not one or more elements from one or more categories. The use of the conjunctive "or" before the last-named category should have been used, per the CAFC, and so the present claims have been amended as appropriate to conform to this case law.

Turning to the anticipation rejection, all the relied-upon portion of Strolle et al. teaches, and indeed all the examiner alleges it teaches, is deciding whether a TV signal is analog or digital by observing the signals in the combined demodulator, and appropriately configuring the multiplexers to the correct port (analog or digital) in response. But nowhere do the relied-upon sections of Strolle et al. teach, nor does the examiner allege that they teach, sending to an RF gain adjust amplifier the IF output signal when the system is in a terrestrial mode and otherwise (when the system is in a cable mode) sending it either the filtered IF output signal and/or a signal from the demodulator. Still further, the relied-upon sections of Strolle et al. do not teach, nor has it been alleged otherwise, that an IF gain adjust amplifier receives the IF output signal and/or the filtered IF output signal, as well as output signal from the demodulator. Simply put, there is no distinction in Strolle et al. between cable mode and terrestrial mode, much less functioning based on the distinction as claimed in Claim 2, nor does the feedback signal get input to the tuner 106, which is what contains the IF amplifier. To the extent that any feedback from the demodulator is sent to an IF component,

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it is not to the IF amplifier that Strolle et al. teaches is part of the tuner 106, but rather to the IF processor 108, which contains only a "fixed gain amplifier", col. 3, line 14. Because a "fixed gain amplifier" cannot be said to be a "gain adjust amplifier", for this additional reason the rejections have been overcome.

The examiner is cordially invited to telephone the undersigned for any reason that would advance the instant application to allowance.

Respectfully submitted,



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